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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOSEPH ANDREW CHINN
R. MICHAEL CASANOVA

Serial No.: 09/746,712 ✓

Filed: December 21, 2000

For: ANTIBIOTIC TREATED IMPLANTABLE
MEDICAL DEVICES

Confirmation No.: 3630

Notice of Allowance: August 12, 2005

Attorney Docket: 2009.015300/RFE
(CMI-397)

CUSTOMER NO. 23720

**RESPONSE TO NOTICE OF DRAWING REQUIREMENTS DATED
AUGUST 12, 2005 AND PETITION UNDER 37 C.F.R. § 1.84(b)(2)**

MAIL STOP ISSUE FEE

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Attention: Official Draftsman

Sir:

Pursuant to 37 C.F.R. § 1.84(b)(2), Applicants petition to request that the photographs submitted herewith be accepted for Figures 3-7 (in triplicate), in response to the Notice of Allowability mailed August 12, 2005.

The use of color photographs in this case is necessary to clearly indicate the extent of pannus overgrowth of untreated vs. treated valves as described in Examples 1-3.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MAIL STOP ISSUE FEE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below.

October 5, 2005

Cynde Meinhardt
Cynde Meinhardt

Please amend the specification by inserting the following paragraph at p. 3, line 29:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

Pursuant to 37 C.F.R. § 1.17(h), a check in the amount of \$130.00 is enclosed, which covers the appropriate petition fee for response to this Notice.

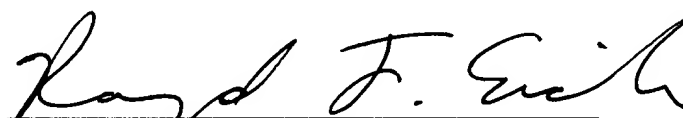
If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Director is authorized to deduct or credit said fees from or to Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2009.015300RE.

It is submitted that the above petition and fee now place the present application in complete compliance with the requirements stated in the Examiner's Amendment/Comment attached to the Notice of Allowability dated August 12, 2005.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 23720

October 5, 2005



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